

Presentment Date: July 19, 2018 at 12:00 p.m. (prevailing Eastern Time)

David H. Botter

David F. Staber (admitted *pro hac vice*)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

Jointly Administered

PLEASE TAKE NOTICE that the above-captioned reorganized debtors (the “Reorganized Debtors”) will present the *Stipulation Regarding Reclassification of Claim Filed Against International Shipholding Corporation* (the “Stipulation”), substantially in the form attached hereto, to the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court of the Southern District of New York, Alexander Hamilton

¹ The Reorganized Debtors in these cases, along with the last four digits of each Reorganized Debtor's federal tax identification number, are: International Shipholding Corporation (9662); Central Gulf Lines, Inc. (8979); Coastal Carriers, Inc. (6278); Waterman Steamship Corporation (0640); N.W. Johnsen & Co., Inc. (8006); Tower LLC (6755); Frascati Shops, Inc. (7875); Gulf South Shipping PTE LTD (8628); and LCI Shipholdings, Inc. (8094). The service address for each of the above Reorganized Debtors is 2200 Eller Drive, P.O. Box 13038, Fort Lauderdale, FL 33316.

Custom House, One Bowling Green, New York, New York 10004, on **July 19, 2018 at 12:00 pm** (prevailing Eastern Time).²

PLEASE TAKE FURTHER NOTICE that any responses or objections to the Stipulation must be made in writing; shall conform to the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and the Local Rules of the Bankruptcy Court (the “Local Rules”); shall be filed with the Bankruptcy Court with a hard copy delivered to Chambers, and served so as to be actually received by (i) the Reorganized Debtors, 2200 Eller Drive, P.O. Box 13038, Fort Lauderdale, FL 33316, Attn: Bill Long; (ii) Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, New York 10036, Attn: David Botter, Esq., Email: dbotter@akingump.com, and 1700 Pacific Avenue, Suite 4100, Dallas, Texas 75201, Attn: Sarah Link Schultz, Esq., Email: sschultz@akingump.com, counsel for the Reorganized Debtors; (iii) Heller, Draper, Patrick, Horn & Manthey, L.L.C., 650 Poydras Street, Suite 2500, New Orleans, Louisiana 70130, Attn: Tristan Manthey; (iv) Pachulski Stang Ziehl & Jones LLP, 780 Third Avenue, 34th Floor, New York, New York 10017, Attn: Robert J. Feinstein, Esq., Email: rfeinstein@pszjlaw.com, and Bradford J. Sandler, Esq., Email: bsandler@pszjlaw.com, counsel to the GUC Trustee; (v) the Office of the United States Trustee for the Southern District of New York, U.S. Federal Office Building, 201 Varick St., Room 1006, New York, New York 10014, Attn: Serene Nakano, Esq., Email: serene.nakano@usdoj.gov; (vi) Milbank Tweed Hadley & McCoy LLP, 28 Liberty Street, New York, NY 10005-1413, Attn: Evan Fleck, Esq. and Nelly Almeida, Esq., counsel to SEACOR Capital Corp.; (vii) all parties that have filed a request to receive service of court filings pursuant to Bankruptcy Rule 2002; and (viii) all other parties on the master service list prepared and maintained pursuant to the *Order Establishing Certain Notice, Case Management,*

² Capitalized termed used but not otherwise defined herein shall have the meanings ascribed to such terms in the Stipulation.

and Administrative Procedures [Docket No. 178], no later than **July 12, 2018 at 4:00 p.m.**
(prevailing Eastern Time).

Dated: New York, New York
June 28, 2018

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Sarah Link Schultz

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Counsel to Reorganized Debtors

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

INTERNATIONAL SHIPHOLDING
CORPORATION, *et al.*,¹

Reorganized Debtors.

Chapter 11

Case No. 16-12220 (SMB)

Jointly Administered

**STIPULATION REGARDING RECLASSIFICATION OF
CLAIM FILED AGAINST INTERNATIONAL SHIPHOLDING CORPORATION**

The reorganized debtors in the above-captioned chapter 11 cases (collectively, the “Reorganized Debtors”) and Victor Hattier (the “Claimant” and, together with the Reorganized Debtors, the “Parties”), a claimant in these chapter 11 cases, hereby stipulate and agree as follows:

RECITALS

A. On July 31, 2016 (the “Petition Date”), each of the Reorganized Debtors filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”).

B. On December 16, 2016, the Claimant filed a proof of claim for “retirement payments, medical & dental benefits and life insurance” in an unknown amount allegedly owed to the Claimant by International Shipholding Corporation [Claim No. 1298] (the “Claim”). The Claims asserts priority for all or part of the claim asserted therein pursuant to 11 U.S.C. § 507(a).

¹ The Reorganized Debtors in these cases, along with the last four digits of each Reorganized Debtor's federal tax identification number, are: International Shipholding Corporation (9662); Central Gulf Lines, Inc. (8979); Coastal Carriers, Inc. (6278); Waterman Steamship Corporation (0640); N.W. Johnsen & Co., Inc. (8006); Tower LLC (6755); Frascati Shops, Inc. (7875); Gulf South Shipping PTE LTD (8628); and LCI Shipholdings, Inc. (8094). The service address for each of the above Reorganized Debtors is 2200 Eller Drive, P.O. Box 13038, Fort Lauderdale, FL 33316.

C. On March 2, 2017, the Court entered the *Findings of Fact, Conclusions of Law and Order Confirming First Amended Modified Joint Chapter 11 Plan of Reorganization for International Shipholding Corporation and Its Affiliated Debtors* (the “Confirmation Order”) [Docket No. 671] approving the terms of the chapter 11 plan annexed thereto (the “Plan”).² On July 3, 2017, the effective date of the Plan (the “Effective Date”) occurred.

D. Pursuant to Section 5.20 of the Plan, and “without any further notice to or action, order, or approval of the Bankruptcy Court, after the Effective Date, the Reorganized Debtors . . . may compromise and settle Claims against, and Interests in, the Debtors and their Estates and Causes of Action against other entities.” Plan at § 5.20. In addition, with respect to Claims other than General Unsecured Claims, the Reorganized Debtors have the exclusive authority under the Plan “to file, settle, compromise, withdraw or litigate to judgment any objections to Claims as permitted under the Plan” *Id.* at § 6.2.

E. The Parties agree that no portion of the asserted amount of the Claim is entitled to priority pursuant to 11 U.S.C. § 507(a).

NOW, THEREFORE, IT IS HEREBY STIPULATED, AND AGREED, by and between the Parties through their undersigned counsel, that:

1. The recitals to this stipulation (the “Stipulation”) are true and correct to the best of the Parties’ knowledge and incorporated herein by reference.
2. The Claim and any amounts asserted therein are not entitled to priority pursuant to 11 U.S.C. § 507(a).

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Plan.

3. The Claim shall be reclassified as a general unsecured claim in the amount of \$95,000.00. The Claim shall be reflected as a general unsecured claim on the official claims register for the above-captioned chapter 11 cases as maintained by Prime Clerk LLC.

4. The rights of the GUC Trustee (as such term is defined in the Plan) to (i) file subsequent objections to the Claim; (ii) seek to expunge or reduce the Claim to the extent all or a portion of such claim has been paid; and (iii) settle the Claim for less than the asserted amount are expressly preserved. For the avoidance of doubt, this Stipulation does not constitute a final allowance of any claims.

5. Each person who executes the Stipulation represents that he or she is duly authorized to execute the Stipulation on behalf of the Parties hereto and that each such Party has full knowledge and has consented to the Stipulation.

DATED: June 28, 2018

**AKIN GUMP STRAUSS HAUER & FELD
LLP**

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Counsel to the Reorganized Debtors

DATED: June 28, 2018

**Heller, Draper, Patrick, Horn & Manthey,
L.L.C.**

By: /s/ Tristan Manthey
Tristan Manthey
650 Poydras Street, Suite 2500
New Orleans, Louisiana 70130
Telephone: (504) 299-3314

Counsel to Victor Hattier

SO ORDERED.

Dated: _____, 2018
New York, New York

THE HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE